

REMARKS

Claims 1, 19, 20, 22-24, and 29 remain in the application with claims 1 and 19 in independent form. Claims 1 and 19 have been amended.

Claims 1, 19, 20, 22-24, and 27-29 stand rejected under 35 U.S.C. §103 as being unpatentable over Zeitler et al. (United States Patent Number 5,288,549) in view of Krech et al. (United States Patent Number 6,063,824) and Uchida et al. (United States Patent Number 5,061,778).

Independent claims 1 and 19 have been amended to claim a composite damping element received in one of a transverse link bearing, a rear-axle subframe bearing, a stabilizer bearing, a longitudinal link bearing, a spring-strut support bearing, a shock-absorber bearing, and a bearing for triangular links. Also, the composite damping element replaces rubber-metal composites that are used in these specific automotive damping devices. The microcellular layer replaces the rubber portion of the prior art and the molding replaces the metal element of the prior art. The molding allows for attachment of the composite damping element to these various damping devices.

Zeitler is directed towards use of a composite element in dashboards that are not to be continuously and repeatedly compressed. The composite element dashboard is located in the interior of the passenger compartment, the cellular polyurethane acts as a noise damping element to reduce noise from the engine and the molding, and the skin improves the dashboards aesthetic properties. The skin is not used to allow the dashboard to be attached in the interior of the passenger compartment.

Whereas, in Krech et al., the microcellular polyurethane elastomers are used as damping elements in the vibration and shock damping systems. Krech et al. however provides no disclosure of a thermoplastic molding being attached to the elastomer as in the

subject invention. The thermoplastic molding allows the subject invention to replace rubber metal components of the prior art.

The Examiner relies on Uchida et al. to take official notice that dashboards are made of vibration damping material and that Zeitler is directed towards the production of dashboards. Therefore, it would have been obvious to use the polyurethane material of Krech as a layer in Zeitler compositions to make a dashboard with improved damping properties. However, the type of noise and vibration being dampened by the dashboard is not the equivalent type of shock and vibration being dampened by the subject invention and the base layer in the dashboard does not serve the purpose of the molding in the subject invention. Dashboards are non-analogous art when compared to running gears of an engine. See MPEP 2141.01(a) Analogous and Non-Analogous Art and also *In re Oetiker* 977 F.2d 1443, 24 USPQ2d 1443 (Fed. Cir. 1992). Therefore, the Examiner improperly relies on Uchida as a basis for the motivation in the §103 rejection.

By this Amendment, Applicant believes that the application is placed in a condition for allowance, or alternately, in a better form for appeal. It is respectfully requested that the §116 Amendment be admitted. To that end, it is respectfully submitted that the Application, as amended, is now presented in condition for allowance, which allowance is respectfully solicited.

Respectfully submitted,
HOWARD & HOWARD ATTORNEYS

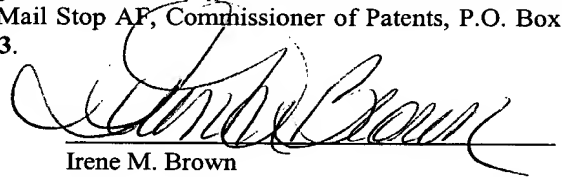


Randall L. Shoemaker, Registration No. 43,118
Howard and Howard Attorneys, P.C.
The Pinehurst Office Center, Suite 101
39400 Woodward Ave.
Bloomfield Hills, MI 48304-5151
(248) 723-0425

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Irene M. Brown

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